

SALES AND USE TAX EXEMPTIONS BY CATEGORY

EXEMPTIONS IN EFFECT AS OF JANUARY 1, 2008

Exemption Category/Summary of Exemption ¹	Year Enacted ²	Year Last Reviewed by TRC ³
Administrative Efficiency		
Sales of tangible personal property under certain circumstances by a person not regularly engaged in the business of selling that type of tangible personal property	1937	2005
Certain trade-ins	1933	2004
Property stored in the state for resale	1937	2004
Nonbusiness property purchased outside the state and brought into the state after purchase under certain circumstances	1937	2006
Property purchased for resale in the state	1937	2004
Property upon which a sales or use tax was paid to some other state	1937	2006
Leases or uses of a vehicle issued a temporary sports event registration certificate for an event period	2001	2006
Amounts paid on a sale-leaseback transaction	2003	No Review
Amounts paid to a purchaser as a rebate from the manufacturer of a new vehicle for purchasing the new vehicle	2005	No Review
Sales of tangible personal property under certain circumstances to persons within the state if that tangible personal property is subsequently shipped outside the state and incorporated pursuant to contract into and becomes a part of real property	1989 ⁴	No Review
Redemptions or repurchases of property by a person if that property was delivered to a pawnbroker as part of a pawn transaction and redeemed or repurchased within a contractually established time period	2005	No Review
Business property purchased outside the state and brought into the state after purchase under certain circumstances	2007	No Review ⁵

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Agriculture		
Sales of certain tangible personal property used or consumed primarily and directly in farming operations	1979	2004
Sales of hay	1995	2004
Exclusive sale during the harvest season of seasonal crops, seedling plants, or garden, farm, or other agricultural produce under certain circumstances	1937	2004
Coin-operated Devices		
Sales of food from vending machines under certain circumstances	1965	1993
Sales of unassisted cleaning or washing of tangible personal property	1975	1993
Sales or rentals of the right to use or operate for amusement, entertainment, or recreation an unassisted amusement device	1996	No Review ⁶
Currency and Precious Metals		
Sales of currency or coinage that constitute legal tender of the United States or of a foreign nation	2003	No Review
Sales of a gold, silver, or platinum ingot, bar, medallion, or decorative coin if the ingot, bar, medallion, or decorative coin does not constitute legal tender of any nation and has a gold, silver, or platinum content of 80% or more	2003	No Review
Direct Mail		
Purchases of a list or database used to send direct mail	2005	No Review

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Energy and Natural Resources		
Sales of natural gas, electricity, heat, coal, fuel oil, or other fuels for industrial use	1996	No Review
Sales or uses of certain amounts of electricity if the sales or uses are made under a tariff adopted by the Public Service Commission of Utah only for purchase of electricity produced from a new wind, geothermal, biomass, or solar power energy source	2002	No Review
Sales of water in a pipe, conduit, ditch, or reservoir	2003	No Review
Certain leases or purchases of machinery or equipment that is leased or purchased for or by a facility that is a renewable energy production facility located in the state	2004	No Review
Certain leases or purchases of machinery or equipment that is leased or purchased for or by a facility that is a waste energy production facility located in the state	2004	No Review
Certain leases or purchases of machinery or equipment that is leased or purchased for or by a facility located in the state that produces fuel from biomass energy	2004	No Review
Purchases of tangible personal property used in the research and development of coal-to-liquids, oil shale, or tar sands technology	2006	No Review
Exemption Necessary to Participate in Federal Program		
Purchases made with food stamps	1986	2003
Purchases made under the WIC program	1987	2003
Film Industry		
Sales of commercials, motion picture films, prerecorded audio program tapes or records, and prerecorded video tapes	1981	1993
Sales of machinery and equipment for certain purposes relating to the film industry	2004	No Review

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Food		
Sales of food or alcoholic beverages not available to the general public if sold by a church, charitable institution, or institution of higher education as part of a student meal plan	1986	1995
Sales of food or alcoholic beverages provided for a patient by a medical or nursing facility	1988	1995
Fuels		
Sales of aviation fuel, motor fuel, and special fuel subject to a state excise tax	1957	1995
Government		
Sales to the state, its institutions, and political subdivisions except for construction materials under certain circumstances	1933	1995
Sales of certain tooling, equipment, or parts under certain aerospace or electronics industry contracts with the federal government	1986	1994
Sales of photocopies by a governmental entity or an entity within the state system of public education	1997	No Review
Sales to a public transit district or to a subcontractor of a public transit district, including sales of construction materials that are to be installed or converted to real property owned by the public transit district	2007	No Review

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Health Care		
Amounts paid for a drug, syringe, or stoma supply under certain circumstances	1976	1996
Sales or rentals of durable medical equipment if certain requirements are met	1995	No Review
Sales of hearing aids, hearing aid accessories, or certain parts	1999	No Review
Sales made to or by an area agency on aging or a senior citizen center owned by a county, city, or town, or sales made by a senior citizen center that contracts with an area agency on aging	1999	No Review
Sales or rentals of mobility enhancing equipment if certain requirements are met	2003	No Review
Sales of a prosthetic device if certain requirements are met	2003	No Review
Sales of disposable home medical equipment or supplies if certain requirements are met	2007	No Review
Housing		
45% of the sales price of any new manufactured home and 100% of the sales price of any used manufactured home	1995	No Review
Industry		
Sales or use of property, materials, or services used in the construction of, or incorporated into, pollution control facilities	1973	1993
Purchases or leases under certain circumstances by certain manufacturing facilities or mining establishments	1985	1993
Sales of nonreturnable containers, labels, bags, shipping cases, and casings for use in packaging tangible personal property	1969	2004
Sales of the following for use in compounding a taxable service: sales to common carriers; or sales of gas, electricity, heat, coal, fuel oil, or other fuels	1933	1995
Sales of certain tangible personal property for use in a steel mill	1987	1993
Sales or leases of semiconductor fabricating, processing, research, or development materials	2001	No Review

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Interstate Commerce		
Sales of food to a commercial airline carrier for in-flight consumption	1983	1994
Sales of parts and equipment for installation in aircraft operated by common carriers in interstate or foreign commerce	1984	1994
Sales of a vehicle of a type required to be registered in the state if the vehicle is not registered in the state and not used in the state except under specified circumstances	1957	2006
Sales of a boat, boat trailer, or outboard motor of a type required to be registered in the state if the boat, boat trailer, or outboard motor is not registered in the state and not used in the state except under specified circumstances	1988	2006
Sales of aircraft manufactured in the state if sold for delivery and use outside the state where a sales or use tax is not imposed	1990	2006
Sales, leases, or uses of the following: a vehicle by an authorized carrier; or tangible personal property that is installed on a vehicle sold or leased by an authorized carrier before the vehicle is placed in service for the first time	1995	2006
Newspapers		
Sales of newspapers or newspaper subscriptions	1937	1994
Religious or Charitable Institutions		
Sales made to or by religious or charitable institutions under certain circumstances	1933	1995
Schools		
Sales relating to a public or private elementary or secondary school and fundraising sales	1995 fundraising 1996 schools	1995
Amounts paid for admission to an athletic event at an institution of higher education that is subject to the provisions of Title IX of the Education Amendments of 1972	1998	No Review

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Ski Industry		
Sales to a ski resort of electricity to operate a passenger ropeway	1996	No Review
Sales to a ski resort of snowmaking equipment, ski slope grooming equipment, passenger ropeways, or certain parts	1996	No Review
Telecommunications		
Amounts paid for the purchase of telephone service for purposes of providing telephone service	1990	1994
Sales of telephone service charged to a prepaid telephone calling card	1998	No Review
Purchases or leases of certain telecommunications machinery, equipment, or software purchased or leased by, or on behalf of, a telephone service provider	2006	No Review
Tribal		
Amounts paid or charged to a purchaser for certain hotel accommodations and services taxed by the Navajo Nation	2001	No Review

1. Although sales and use tax exemptions may be categorized in a number of different ways and a single sales and use tax exemption may be properly included in multiple categories, this table and its categories are designed to facilitate the Utah Tax Review Commission ("TRC") review of sales and use tax exemptions required by Utah Code Ann. § 59-12-104.5 (2007). Consequently, a sales and use tax exemption is only listed under one category and categories are designed to contain a limited number of sales and use tax exemptions. Further, the table categorizes only those sales and use tax exemptions the TRC is statutorily required to study, which are the sales and use tax exemptions created in Utah Code Ann. § 59-12-104. Sales and use tax exemptions that are outside Utah Code Ann. § 59-12-104 include sales and use tax exemptions for independent entities, such as the Heber Valley Railroad Authority.
2. This table relies on data from prior TRC reviews for determining the year a sales and use tax exemption was enacted. These dates have not been independently verified. If there were discrepancies in the data as to when a sales and use tax exemption was enacted, the earlier date of enactment was included in the table.
3. This table does not include reviews of sales and use tax exemptions conducted by an entity other than the TRC. Other entities that have reviewed sales and use tax exemptions include the Revenue and Taxation Interim Committee, the Tax Reform Task Force, the Tax Recodification Commission, and the Sales and Use Tax Task Force. If we were aware that a TRC study of a sales and use tax exemption spanned more than one year, the latest year of the study was included in the table. A year of last review is listed in the table for each sales and use tax exemption for which the TRC has commenced a study, regardless of whether the statutory requirements for completing the study have been met.
4. This exemption was originally enacted in 1989, repealed in 2003, and reinstated in 2005. See 1989 Laws of Utah, ch. 247, sec. 1; 2003 Laws of Utah, ch. 312, sec. 12; 2005 Laws of Utah ch. 158, sec. 4.

5. Although the TRC has not reviewed this sales and use tax exemption since its enactment, the exemption was drafted at the request of the TRC as part of the study of the sales and use tax exemption for nonbusiness property purchased outside the state and brought into the state after purchase under certain circumstances.

6. Prior to the enactment of the sales and use tax exemption in 1996, sales or rentals of the right to use certain amusement devices were excluded from the sales and use tax base.
The TRC studied this exclusion in 1993.